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Letter dated 10 November 2005 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

I have the honour to forward herewith information on key measures undertaken in the human rights area in Turkmenistan in the past year (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the General Assembly, under agenda item 71 (c).

(*Signed*) Aksoltan **Ataeva**

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Annex to the letter dated 10 November 2005 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

Key measures undertaken in the human rights area in Turkmenistan in the past year

Since the first days of its independence, Turkmenistan has declared that the individual is of the highest value to society and has chosen its own way of development based on universal values, principles of humanism, peace and justice that found its logical continuation in the neutral status of the country. In particular, the neutral status in many respects promotes the successful fulfilment of major strategic, economic, social, humanitarian and other issues that determine steady development of Turkmenistan.

On 24 and 25 October 2005, the *Halk Maslakhaty* (People's Council), the highest representative body of the country, held its sixteenth session. The important issues of further democratization of Turkmen society and improvement in the socio-economic well-being of the population were considered at the session.

Turkmenistan pays serious attention to the development of processes of democratic elections and institutions of parliamentarism, whose basic principles are to ensure development on the basis of expansion of democratic foundation in self-governance of the society. At the sixteenth session of the People's Council, a decision was approved to hold elections of local administrations during 2006-2007, and parliamentary elections in 2008.

The following documents adopted at the sixteenth session of the People's Council of Turkmenistan — constitutional laws on amendments and additions to the Constitution of Turkmenistan, the Constitutional law of Turkmenistan on the "People's Council of Turkmenistan", the laws of Turkmenistan on *Gengeshi* (local council), on the "Election of members of *Gengeshi*", on the "Election of members of Parliament of Turkmenistan" and on the "Protection of health of citizens" and also a new edition of the "Tax Code of Turkmenistan", the law of Turkmenistan on the "Parliament of Turkmenistan", on "District and city People's Councils", on "Elections of district and city People's Councils", on "Provincial People's Councils" and on "Election of members of provincial People's Councils" — have determined the State policy on these important directions.

Civil society institutions have an important role in the political system of the Turkmen statehood. Eighty-seven public associations, professional and creative unions are registered in Turkmenistan and take active part in elaborating economic, social and cultural policy of the State. The largest public associations of Turkmenistan such as the Democratic Party, the Council of Elders, the Women's Union, the Youth Union, the Council of Veterans, trade unions of the country and other public organizations are represented in all elected bodies of the country in accordance with the national law.

Human rights issues are one of the main priorities of the internal and foreign policies of our country.

On 2 February 2005, a committee on the protection of human rights and freedoms was created at the third session of Parliament with a view to the effective

fulfilment of obligations arising from the international norms as well as the development of national legislation in the field of human rights.

In 2005 alone, Turkmenistan acceded to seven important United Nations instruments aimed at defending human rights and freedoms. In February 2005, the law on guarantees of the right of youth to work was adopted, according to which the use of child labour is prohibited.

Freedom of belief and religion is one the main aspects of the human dimension. Its practical realization is reflected in the laws, adopted in 2004, which ensure registration of religious organizations and groups, irrespective of their number and religion, and also abolish criminal liability for activity of unregistered religious organizations. In 2004, along with religious organizations of Muslims and Christian Orthodox, religious groups such as the Church of Adventists of the Seventh Say, Bahai, Evangelical Christian Baptists and the group Consciousness of Krishna were registered. In April 2005, the following additional religious organizations and groups were registered: Church of the Christ, Church of Evangelical Christians "Great Grace", Church of the Christians of Evangelical Belief "Light of the East", Church of the Christians of Full Gospel and the New Apostolic Church.

According to the Decree of the President of Turkmenistan of 16 April 2005, proceeding from the humane traditions of the Turkmen people and guided by the principles of justice, mercy and humanism, the following persons who refused military service for religious reasons were pardoned: Wepa Tuvakov, Atamurat Suvhanov, Mansur Masharipov and Begench Shikhmuradov.

On 20 October 2005, the Ministry of Justice of Turkmenistan organized a meeting with the representatives of registered and unregistered religious groups and organizations. During the meeting it was stated that the State does not interfere with religious matters and that the legislation of Turkmenistan in the field of religious freedoms is being improved. Issues pertaining to the registration of branches of religious organizations were clarified and resolved. It was also suggested that an information resource centre for the exchange of information on religious matters through the Internet or the press be created.

The mass media of Turkmenistan plays an important role in public life. National radio and television, printed and electronic media are active in the country. Moreover, about 20 foreign news agencies are officially accredited and function in Turkmenistan. Among them are the Associated Press and NCA (United States of America), Xinhua (China), Reuters and the BBC (Britain), Agence France Press (France), the news agency ITAR-TASS (Russia), *Ogonek* magazine (Russia); the TV-radio company TRT (Turkey), the newspaper *Zaman* (Turkey), the magazine *Eko Vitrin* and the Anatolian Agency (Turkey); the agency IRNA (Iran); and the Pakistan press network (Pakistan).

There is a special channel on national television, "TV 4", which broadcasts programmes in seven languages (Turkmen, Russian, Chinese, English, Arabic, French and Persian).

Along with the Turkmen language press, the following foreign language press is printed: the daily newspaper in Russian "Neutral Turkmenistan", a weekly journal "The Advertising Bulletin" and also the newspapers *Diyar*, *Zaman* and *Business-Advertisement* publish their materials simultaneously in several languages

(Turkmen, Russian, Turkish and English). Public and political organizations such as the Democratic Party of Turkmenistan and Women's Union of Turkmenistan have their own printed publications — *Galkynysh* and *Gurbansoltan edje*, respectively. The Union of Journalists of Turkmenistan issues the Internet-edition *Turkmenistan-Altyn Asyr* (www.turkmenistan.gov.tm). The Institute of Democracy and Human Rights, under the President of Turkmenistan, publishes a magazine *Democracy and Law* in three languages: Turkmen, English and Russian. A number of other public organizations also have their own publications. At present, the mass media of Turkmenistan is at a stage of comprehensive development and constant expansion of its sphere of coverage.

The representatives of various nationalities are represented at all levels in the State bodies and public organizations of Turkmenistan.

According to the Constitution, equal opportunities are accorded to all citizens for obtaining education, and discrimination based on ethnic, racial or national origin is not tolerated.

There are more than one million pupils in our country's schools, encompassing all nationalities and ethnicities living in the country. Specialists on almost 200 professions are being trained in the system of secondary professional and higher education. Thousands of young people from Turkmenistan study in various foreign educational institutions. The joint educational programmes and projects with various foreign States, including the United States, Great Britain, France, Germany, Turkey, Ukraine and others, are being carried out.

According to the State education programme, pupils and students in all educational institutions study three languages simultaneously: Turkmen, English and Russian. In 126 secondary schools studies are also conducted in Russian. Schools and lyceums that conduct studies in Russian, English, German, Turkish and other languages are effectively functioning in Turkmenistan.

Comprehensive support is provided by the State to all educational institutions in implementation of their activities, including through the provision of educational and methodical literature as well as the training of staff.

Ensuring of the rights of refugees is one of the important directions in the human dimension. Turkmenistan, strictly following its international obligations, actively cooperates with the Office of the United Nations High Commissioner for Refugees. Over the years of our country's independence, refugees from Tajikistan, Afghanistan and other countries have been received and the necessary conditions for normal life and activity of this category of persons have been created. The refugees have been provided with accommodations, land and jobs. They are also able to utilize healthcare, education, etc., on an equal basis with the citizens of Turkmenistan.

On 4 August 2005, the President of Turkmenistan, Saparmurat Niyazov, signed decrees and orders on granting citizenship of Turkmenistan and residence permits in the country to more than 16 thousand migrants and refugees who reside on the territory of Turkmenistan.

Annually, on the basis of the President's decrees, large-scale acts of amnesty are carried out in the honour of the sacred *Gadyr Gijesi* (Night of Omnipotence). In

2005, 8,145 citizens of Turkmenistan, including 229 foreign citizens, were granted amnesty.

On 15 March 2004, at the invitation of the Turkmen side, a group of experts of the Office of the United Nations High Commissioner for Human Rights visited Ashgabat and studied the situation and the opportunities for further development of cooperation between Turkmenistan and the Office of the High Commissioner for Human Rights. During the visit, specific ways of cooperation with Turkmenistan were identified. At present we have received the draft of the biennial plan of cooperation, which is scheduled for implementation at the beginning of December 2005.

The United Nations Development Assistance Framework (UNDAF) programme for 2005-2009 between the Government of Turkmenistan and United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund (UNICEF) has been successfully realized. The plan of action determines basic cooperation between Turkmenistan and the United Nations agencies on areas set out by the Millennium Development Goals and national priorities, as reflected in the national programme entitled "The strategy of economic, political and cultural development of Turkmenistan for the period until 2020". Accession by Turkmenistan to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography is a testimony to the fact that Turkmenistan builds its relations with UNICEF on a long-term basis. There is a solid legislative foundation in Turkmenistan, central to which are the laws signed by the President of Turkmenistan and adopted by the Parliament on guarantees of the rights of the child and on the regulation of the rights on children's work.

On 29 and 30 May 2005, the High Commissioner on National Minorities of the Organization for Cooperation and Security in Europe, Mr. Rolf Ikeus, paid an official visit to Turkmenistan and travelled to border areas and schools in Dashoguz province of Turkmenistan, where children of various nationalities are educated, highly skilled teachers of different nationalities are working and schools are specialized in teaching the Russian, English and German languages.

In the period from 7 to 9 March 2005, the Ambassador of the Netherlands for Human Rights, Mr. Pete de Clerk, visited Turkmenistan. During the visit he had an opportunity to hold meetings in ministries where issues of cooperation in the field of human rights were discussed, in particular, the issue of the access of representatives of the International Committee of the Red Cross (ICRC) to detained persons and the issue of religious organizations.

Currently, an active process of negotiation is under way with representatives of ICRC on preparation of the draft agreement on cooperation between ICRC and Turkmenistan, which envisages, inter alia, visits to penitentiaries. The Turkmen side has confirmed its readiness to provide ICRC with the opportunity to visit penitentiaries and also give access to all prisoners. At the same time, the Turkmen side notes that access to prisoners who have been convicted for terrorist acts will be carried out in the presence of a representative of the Turkmen side.

On 12 May 2005, the sixth session of the joint committee "European Union-Turkmenistan" took place in Ashgabat.

During the session, an exchange of views on issues of mutual interest took place, in particular, on issues of cooperation in the fuel and energy sector, the areas of transportation and communications, agriculture, environment, education and healthcare.

The practical steps undertaken by Turkmenistan in enhancement of relations with the European Union and Member States of the European Union have also received high praise of the members of the Joint Commission. Noting high economic growth rate of Turkmenistan the European partners called it a foundation for successful implementation of further reforms both in the area of social and economic development of the country and in the area of improvement of democratic institutions of public administration.

This thought was also reiterated during the meeting that took place in the second half of the day in the Turkmen National Institute on Democracy and Human Rights under the President of Turkmenistan, where the parties discussed aspects of cooperation in the humanitarian sphere, including in the area of human dimension.

During the period from 27 to 30 September, an official visit of the Special Representative of the European Union for Central Asia, Mr. Jan Kubish, took place.

During the visit, meetings with the President of Turkmenistan and other officials of the Government of Turkmenistan took place, at which matters of further development of partnership relations between European Union and Turkmenistan were discussed.

Among the priority areas of bilateral cooperation specified in the framework of the meeting alongside with its political, commercial, economic aspects, issues of a humanitarian nature were considered.

It was noted that deepening of democratic processes in Turkmenistan is a part and parcel of the successful comprehensive development. In this connection, the Special Representative of the European Union highly appraised the adoption of the law prohibiting child labour in Turkmenistan. According to the Special Representative, this example stands on the level of universal priorities in developing civil society and could serve as a worthy example for the countries of the region.

In September 2005 the delegation of Turkmenistan actively participated in the work of the annual Warsaw meeting on the human dimension, at which a whole range of issues of human rights was discussed. At the meetings the delegation of Turkmenistan, on numerous occasions, made official statements with an exact and clear account of our position on many issues, including on the situation of national minorities, rule of law, independence of court and transparency of justice, freedom of religion and beliefs, death penalty and national institutions on human rights, etc.

The head of the Regional Office of ICRC, Mr. Rolin Vavre, visited Ashgabat on a regular basis during 2004-2005. During his visits, a broad range of issues of mutual interest, including issues related to the preparation of an agreement between Turkmenistan and ICRC on visits to penitentiaries, were discussed. At the present time, the proposals of the Turkmen side are being studied by ICRC.

As is noted in the report of the Secretary-General of the United Nations, cooperation with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and EU is

developing positively and positive processes in the promotion of human rights issues in Turkmenistan are evident.

Turkmenistan will work on the preparation of its national reports, in accordance with the International Covenant on Economic, Social and Cultural Rights and other international instruments in the field of human rights, which will be submitted to the relevant international bodies.